



CHICOPEE CITY COUNCIL
ZONING COMMITTEE

ACCEPTED

ZONING COMMITTEE MEMBERS

Jean Croteau, Chairman
Dino A. Brunetti, Vice-Chairman
George Moreau
Donald Demers
John Vieau
Fred Krampits
Frank LaFlamme

MINUTES
March 30, 2010

The following are the minutes of a public hearing held Tuesday, March 30, 2010 at 6:30 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present Croteau, Brunetti, Moreau, Demers, Vieau, Krampits, LaFlamme

Also Present Dan Garvey (City Solicitor), Kate Brown (Planning Director)

The meeting was called to order at 6:30 PM

ITEM #1

Application for a Special Permit under section 275-50 for the purpose of the installation of a billboard sign located at 340 McKinstry Avenue.

Applicant Main Street Property Management, LLC, Thomas M. Crochiere, 9 Hawthorne Road, Wilbraham, MA 01095

Applicant was present he stated that he would like to install a monopole billboard structure. Situate it a reasonable distance from other structural's. I think it's a great location for a billboard, it's further from the Street than the existing one, and it's pretty secluded. Everything I'm proposing meets the by-laws as their outlined.

Engineering Department

Approved.

Fire Department

Recommendations:

This department is concerned with emergency vehicle access to the purpose structure. An access road that is capable of supporting emergency vehicles must be developed and maintained throughout the year. This road and an area around the sign must be large enough to allow for the extension of an aerial ladder to reach the top of the sign.

The height of the billboard must not exceed the reach of our aerial apparatus.

Public Input

Linda McClay, 200 Lambert Terrace, Unit 34, Chicopee, stated that she objects to the billboard. Billboards are very distracting. The view on 391 was panoramic and beautiful and the existing billboards are blight and pose a public safety risk.

Dave Coty, 405 Montgomery St., concerned about the applicant's not agreeing to put suggestive advertisements up on billboard. We also have enough billboards to sink a ship.

Restrictions

- 1.) Permit to run with land
- 2.) Must comply with Fire Department recommendations.

Kate from Planning added some of the billboard licenses were given up last year so we have more spaces available now.

Councilor Moreau questioned during the winter and springtime the ground has a tendency to become very mushy and soft, how is that going to be maintained?

Applicant answered it does drain very well, presently. We've been driving it as have the city vehicles on a weekly basis all year long for the past five years.

Councilor Demers concerned about applicant not agreeing to no adult advertisements on billboard.

Councilor LaFlamme how many billboards do we have and can I get a list. Kate Brown replied she will get him a list.

Councilor Croteau this is something we can't force upon you but, something we'd like companies to voluntarily agree to and that's not to put up anything objectionable (adult entertainment). Is this something agreeable to you?

Applicant stated that in the past I haven't agreed to that type of request nor have my advertisers ever brought that type of client to the table. It could be negative to my business and my ability to lease to a billboard company who's more of a wholesaler to the businesses that advertise, so I'd rather not be bound by such a restriction at this time.

Croteau questioned so you're not going to volunteer to do that?

Applicant stated I won't volunteer to do that at this time.

Councilor Krampits I understand the concern over the signs. No one wants to see billboard signs cropping up. We have to decide where the most reasonable places to have these signs are. I realize people are worried about what the content might be, that's not anything we can control. Since we have four open slots let's fill them up by putting them in locations that are not going to be objectionable.

Dan Garvey stated this has to be content neutral - so we can't mandate him on what he can and can't advertise. The other issues that have been brought up certainly are well in your purview.

Committed vote

5 to deny	2 to approve
Councilor Demers	Councilor Krampits
Councilor Vieau	Councilor Brunetti
Councilor LaFlamme	
Councilor Moreau	
Councilor Croteau	

Reasons for Denial:

- 1.) Two neighbors appeared to appose this billboard.
opposed to this for aesthetics and public safety (distraction) reason. Spoils view.
- 2.) Lighting distraction.
- 3.) Neighborhood concerns.

ITEM #2

Application for a Special Permit under section 275-50 for the purpose of modification of existing special permit to allow for a digital billboard to be installed located at 374 Montgomery Street.

Applicant L & D Chicopee, LLC 14 Vinson Circle, Winchester, MA

Kevin Vann, Mgr., ADV Realty, LLC

Kevin Jennings, Mgr. Chicopee Montgomery

Matthew DiRoberto, Bus. Mgr. for L&D Chicopee, LLC

390 K St. #2 South Boston, MA 02127

Applicant Matt DiRoberto, Lou Doria and Kelly Barrett were present.

Matt DiRoberto stated that we're not a big billboard company, this is our one billboard. We've been given an opportunity by the state of Massachusetts to participate in this digital program; eleven sites were awarded - Chicopee being one of them. We agreed there was a nuisance factor with the lights for the residence. It's important that we work with the community so we suggested turning off the lights facing any residence and it would only face the Mass. Pike. There is a lot of great things we can do with this digital billboard (Amber Alerts, Traffic Alerts, any type of emergency, news, weather) we will donate advertizing to the town of Chicopee. This is an internet connection that we can immediately upload.

Kelly Barrett Dakronics, 1501 Broadway, Suite 400, New York, New York, stated that numerous studies have been done on digital billboards as far as traffic safety. The Federal Highway commission has done traffic safety studies and the State of Massachusetts is doing their pilot program right now. In all those studies there is no statistical conclusions that show that any type of billboard causes any type of traffic accidents. We are very passionate about putting up a billboard that is not going to cause accidents.

Engineering Department

Approval

Fire Department

Emergency vehicle access must be maintained throughout the year. This road and an area around the sign must be large enough to allow for the extension of an aerial ladder to reach the top of the sign.

The height of the Billboard must not exceed the reach of our aerial apparatus.

PUBLIC INPUT

Linda McClay, 200 Lambert Terrace, Unit 34, Chicopee, stated that you mentioned you target the drivers; all it takes is a split second to take a life. All these billboards on the highway are a big mistake. Changing to digital isn't going to help anything. I understand all the benefits to gain from it, but what price is a life.

Dave Coty, 405 Montgomery Street, Chicopee stated I agree there are too many billboards but, I'm also aware this billboard isn't coming down. By getting the lights turned out on the residence side made a big difference and this would be part of their agreement if they were to sell the sign. I do see the benefits to the digital technology and no residents will see the sign so I'm in favor of this.

Restrictions

- 1.) Permit to run with the land.
- 2.) Must comply with Fire Department recommendation.
- 3.) One sided billboard, east facing side only.
- 4.) Applicant agree to provide free Amber Alerts, Community Alerts and Community Event Information, etc.
- 5.) Will not advertise adult content.
- 6.) Applicant made statement that several studies have been done and digital billboards do not increase accidents - doesn't impede traffic safety.
- 7.) Billboard currently exists.

Councilor Croteau how do you feel about adult content advertising? Matt replied we don't accept that. When we originally put up our billboard that was part of our agreement, so we stand by that.

Councilor Laflamme asked if we were to approve this and a year down the road the applicant wants to sell it, would they have to come back in for a special permit? Councilor Croteau answered they would have to follow the same restrictions.

Councilor Moreau questioned you said you had an agreement, is this a written agreement? Do we have a copy of that?

Councilor Demers you presently have a two face sign, digital on one side facing east, What's going to happen to the other face? Matt replied it's just going to be a straight vinyl sign with advertising if we can sell it, but we'll never put lights on it.

Committee vote 7 - 0 approve

ITEM #3

Minutes – for January 26, 2010 accepted

Meeting adjourned at 7:33 P.M.